

EXHIBIT D

1 A. Yes.

2 Q. Did you vote in the 2020
3 presidential election?

4 A. Yes, I did.

5 Q. Did you vote in person?

6 A. Did I vote in person?

7 Q. Yes.

8 A. No.

9 Q. How did you vote?

10 A. I voted by mail.

11 Q. Had you voted in person for other
12 federal, state or local elections in the past?

13 A. Absolutely, yes.

14 Q. Have you voted in person for any
15 federal, state or local election taking place
16 after the 2020 presidential election?

17 A. Have I -- did you say have I voted
18 by mail or in person?

19 Q. In person after the 2020 election?

20 A. I voted in person in the last
21 election that we had 2021, I think.

22 Q. Who did you vote for for president
23 in the 2020 presidential election?

24 MR. GOLD: Objection.

25 A. Joe Biden.

1 in different areas, if they ever heard of
2 anything like that and they said no, but I
3 asked a couple of people subsequently after we
4 had the attorneys and everybody in it, and it
5 was pretty clear that people who lived in
6 places that had upper-middle class White people
7 were not getting that kind of thing. It was
8 people who -- I think I got the feeling that
9 they were targeting people who might be less
10 inclined to fight through that kind of
11 craziness.

12 Q. You did receive the phone call,
13 correct?

14 A. I did, yeah.

15 Q. So you're not Black, right?

16 A. No.

17 Q. So why do you believe you received
18 the phone call?

19 A. Because I think they did have zip
20 codes and everybody about 80 percent of my zip
21 code are Black people.

22 Q. In your -- as far as you know, was
23 the phone call meant to intimidate Black
24 people?

25 MR. GOLD: Objection.

1 A. I'm not sure I understand what you
2 mean exactly by intimidate.

3 Q. Well, it's in your complaint but in
4 your opinion, was the call meant to intimidate
5 Black people from not voting?

6 MR. GOLD: Objection.

7 A. Intimidate in the sense not in a
8 physical sense of intimidating someone but to
9 just try to, you know, make them stop thinking
10 about voting by mail to not do it.

11 Q. Were you intimidated by the
12 Robocall?

13 A. No, I wasn't.

14 Q. You know -- after, you know, after
15 analyzing the phone call and receiving the
16 phone call, do you believe the Robocall was
17 designed to intimidate a certain class of
18 voters?

19 MR. GOLD: Objection.

20 A. That is what I believed.

21 Q. Do you still believe it today?

22 A. Yes.

23 Q. So what specifically about the
24 Robocall was designed to intimidate?

25 MR. GOLD: Objection.

1 about you receiving a Robocall?

2 A. No.

3 Q. You have no idea as you sit here
4 today whether or not any members of the Black
5 community whatsoever are intimidated by this
6 Robocall?

7 MR. GOLD: Objection.

8 A. I think that some people would be.
9 Everybody reacts differently but I think some
10 people would be.

11 Q. That's just pure speculation?

12 MR. GOLD: Objection.

13 A. Same thing.

14 Q. After listening to the phone call
15 multiple times, do you think the Robocall was
16 designed to be threatening?

17 MR. GOLD: Objection.

18 A. I do think that.

19 Q. What specifically about the
20 Robocall leads you to believe that it was
21 designed to be threatening?

22 A. Well, it names at least three
23 different possible things that could happen.
24 If you voted by mail, that would be -- people
25 would not have those things happen to them.

1 company would be alerted to collect an
2 outstanding debt, were you concerned about
3 that?

4 A. No.

5 Q. When you voted by using the
6 Dropbox, were you concerned by any outstanding
7 warrants?

8 A. No.

9 Q. When you voted by using the
10 Dropbox, were you concerned that you would be
11 tracked that your vaccination whether or not
12 you took the vaccine would be tracked?

13 MR. GOLD: Objection.

14 A. No.

15 Q. Your conclusion that the Robocall
16 was meant to intimidate members of the Black
17 community, that opinion is merely an assumption
18 on your part, would you agree?

19 MR. GOLD: Objection.

20 A. Yes, that's an assumption.

21 Q. Is it fair to say that this opinion
22 is merely speculation?

23 MR. GOLD: Objection.

24 A. Do you mean is this the same
25 assumption? When you say assumption, you mean

1 same thing as speculation?

2 Q. I do.

3 A. I would say no, I don't think so.

4 Q. So you weren't speculating?

5 A. Not really but I think it was
6 pretty clear actually. I mean, if you put it
7 altogether. I realized you're doing a lot of
8 word play here to make it seem like I'm either
9 racist or that I don't know what I'm talking
10 about but I think it was a pretty good
11 assumption that people were trying to keep
12 other people from voting. I don't like that.

13 Q. You made these assumptions based on
14 not speaking to one Black person, correct?

15 A. Yes. During the period of the
16 Robocall, I didn't talk to a Black person about
17 it but I talked to Black people in general
18 plenty of times.

19 Q. You did because you testified that
20 you didn't speak to one Black person?

21 MR. GOLD: Objection.

22 Mischaracterizes her testimony.

23 Q. Ms. Kennedy, did you speak to Black
24 people or did not speak to Black people about
25 the phone call?

1 A. It was not about the phone call. I
2 talked to them a lot much. I know a lot of
3 Black people but I did not necessarily talk to
4 anybody about the phone call.

5 Q. You made this assumption without
6 even knowing which zip codes the phone call was
7 sent to, correct?

8 MR. GOLD: Objection.

9 A. I don't know.

10 Q. You made this assumption without
11 even knowing whether or not the phone call was
12 received by White people?

13 MR. GOLD: Objection.

14 Q. Besides yourself?

15 A. Yeah. To other people about one
16 other person, I guess, it's not fair to count
17 two people on one vote.

18 Q. At the time you received the
19 Robocall, did you recognize the name Tameka
20 Taylor?

21 A. No.

22 Q. So when you received the call, you
23 had no idea who Tameka Taylor was?

24 A. No, I still don't know her.

25 Q. Do you believe any portion of the

1 A. I would say that's fair.

2 MR. SCHWARTZ: Let's do a break.

3 Let's take a ten-minute break.

4 (Whereupon, a ten-minute break was
5 taken.)

6 Q. So we're back on the record,
7 Ms. Kennedy, as a result of the Robocall, did
8 you sustain any financial losses?

9 A. No.

10 Q. As a result of the Robocall, did
11 you sustain any psychological or emotional
12 injuries?

13 A. No.

14 Q. As a result of the Robocall, did
15 you obtain from voting in the 2020 presidential
16 election?

17 A. No.

18 Q. Ms. Kennedy, do you think teenagers
19 should be sued, making prank phone calls?

20 MR. GOLD: Objection.

21 A. No.

22 Q. Do you think a teenagers should be
23 from making a prank phone call?

24 A. No.

25 Q.